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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/812,306	03/30/2004	Marvin D. Kubischta	02708.0007.NPUS00

22930  
 HOWREY SIMON ARNOLD & WHITE LLP  
 BOX 34  
 1299 PENNSYLVANIA AVENUE NW  
 WASHINGTON, DC 20004



CONFIRMATION NO. 1801

## FORMALITIES LETTER

\*OC000000012906592\*

Date Mailed: 06/10/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/13/2004 SDIRETA1 00000079 10812306

FILED UNDER 37 CFR 1.53(b)

01 FC:1001  
 02 FC:1051

770.00 OP  
 130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$36 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$936** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$36

- \$36 for 2 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



1299 PENNSYLVANIA AVE., NW  
WASHINGTON, DC 20004-2402  
PHONE 202.783.0800  
FAX 202.383.6610  
A LIMITED LIABILITY PARTNERSHIP

**MICHAEL J. BELL**  
PARTNER  
202.383.6500  
bellm@howrey.com

September 10, 2004

Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Mail Stop Missing Parts

Re: *U.S. Patent Application Serial No. 10/812,306*  
*Filed: March 30, 2004 Confirmation No.: 1801*  
*For: System and Method for Real Time Simulation*  
*Inventors: KUBISCHTA, et al.*  
*Attorney Docket No.: 02708.0007.NPUS00*

Sir:

The following documents are forwarded for appropriate action by the U.S. Patent and Trademark Office:

1. *Petition for Extension of Time*
2. *Response to Notice to File Missing Parts of Nonprovisional Application*
3. *Executed Combined Declaration and Power of Attorney*
4. *PTO-Returned Copy of Notice to File Missing Parts*
5. *Check # 423324 for \$1010.00 (filing fee, extension fee and declaration surcharge)*
6. *Return Receipt Postcard*

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038, referencing the above-docket number. *A duplicate copy of this letter is enclosed.*

Respectfully submitted,

  
Michael J. Bell (Reg. No. 39,604)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KUBISCHTA, *et al.*

Application No. 10/812,306

Filed: March 30, 2004

For: **System and Method for Real Time  
Simulation**

Confirmation No.: 1801

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 02708.0007.NPUS00

**RESPONSE TO NOTICE TO FILE MISSING PARTS**  
**Application Filing Date Granted**

Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

**Mail Stop Missing Parts**

Sir:

In response to the Notice to File Missing Parts of Application--Filing Date Granted dated **June 10, 2004**, Applicant submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Petition for Extension of Time under 37 C.F.R. § 1.136;
- ☒ Copy of the Notice to File Missing Parts;
- ☒ Original Combined Declaration and Power of Attorney executed by the inventor(s);
- ☒ Return postcard; and
- ☒ Our Check # 423324 for \$1,010.00 to cover:

*\$130.00 - declaration surcharge (37 C.F.R. § 1.16)*

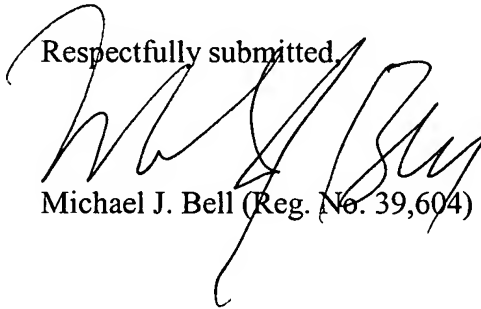
*\$110.00 - extension of time fees under 37 C.F.R. § 1.136.*

*\$770.00 - basic application filing fees*

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing the above docket

number. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038 referencing the above docket number. *A duplicate copy of this Response is enclosed.*

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Bell', is written over the typed name and registration number.

Michael J. Bell (Reg. No. 39,604)

Date: September 10, 2004

HOWREY SIMON ARNOLD & WHITE, LLP  
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